

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY WARD,

Petitioner,

Civil Action No. 2:09-cv-12669

v.

HON. LAWRENCE P. ZATKOFF

THOMAS BIRKETT,

Respondent.

_____ /

ORDER DENYING PETITIONER'S MOTION FOR STAY AS MOOT

This is a habeas matter filed by Michigan prisoner Anthony Ward. On April 26, 2013, Ward filed a "Preemptive Notice of Appeal and Motion for Stay of Pending U.S. District Court Proceedings." Pet'r's Mot. Apr. 26, 2013, ECF No. 46. In this Motion, Ward asks for a stay "until the Motion for Reconsideration and[/]or any possible following proceedings are exhausted" *Id.* at 1.

On March 28, 2013, the Court denied Ward's Habeas Petition, and declined to issue him a Certificate of Appealability, on the issues raised in his Petition. *Ward v. Birkett*, No. 2:09-cv-12669, 2013 WL 1285259 (E.D. Mich. Mar. 28, 2013). On April 12, 2013, Ward filed a Motion for Reconsideration. Pet'r's Mot. for Recon. Apr. 12, 2013, ECF No. 43. The Court denied his Motion. *Ward v. Birkett*, No. 2:09-cv-12669, 2013 WL 1843392 (E.D. Mich. May 1, 2013). Because the Court has ruled on Ward's Motion for Reconsideration, the pending Motion is moot. This case is closed.

Accordingly, Ward's "Preemptive Notice of Appeal and Motion for Stay of Pending U.S. District Court Proceedings" [ECF No. 46] is DENIED as moot.

SO ORDERED.

S/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

DATED: May 20, 2013